

REMARKS

Applicant respectfully request reconsideration of the present application in view of the following remarks.

I. Amendments and Status of the Claims

Claims 39, 40, 42, 45, 48, 50, 52, 54, 56, 61, 63 and 64-66 are requested to be amended. Claims 40, 42, 45, 48, 50, 52, 54, 56, 61, 63 and 64-66 are being amended to correct minor typographical errors or place “comprises” for “includes” for consistency, and claim 39 is being amended to no longer recite including nucleases,” as suggested by the Examiner.

Claim 55 is requested to be canceled without prejudice or disclaimer.

Claim 67 is requested to be added. Exemplary support for claim 67 can be found in claim 39.

Because the amendments deal with matters of form set forth in the Office Action or correct minor typographical errors and do not raise issues of new matter, entry of the amendments is respectfully requested.

After amending the claims as set forth above, claims 39-67 will be pending and subject to examination on the merits.

II. Claim Objections

Claims 48-54 and 59-66 are objected to for typographical errors. Specifically, according to the Examiner, “step a)” in claim 48 should read “step b)” and “or a microtiter plate cover” should be part of claim 52. The remaining claims objected to are objected to for depending from claims 48 and 52.

Applicant has amended the claims, as suggested by the Examiner. Thus, Applicant respectfully requests withdrawal of the claim objections.

III. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 39-66 stand rejected under 35 U.S.C. 112, second paragraph, as allegedly indefinite. According to the Examiner, “[t]he phrase ‘including nucleases’ is exemplary claim language that causes the scope of the claim to be unclear.” Office Action at 3.

Exemplary claim language does not necessarily render a claim indefinite. MPEP §2173.05(d). Here, the phrase “including nucleases” does not render the claims indefinite, because one of skill in the art would clearly understand “nucleases” to be merely an example of the “proteins” recited by the claims. Nonetheless, Applicant has amended the claims to no longer recite “including nucleases,” as suggested by the Examiner. Accordingly, Applicant respectfully requests withdrawal of this ground of rejection.

IV. Allowable Subject Matter

The Examiner indicates that all pending claims, claims 39-66, would be allowable, if Applicant overcomes the rejection under 35 U.S.C. §112, second paragraph. Because Applicant has obviated the rejection, as discussed above, all claims should be considered allowable.

CONCLUSION

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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